

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

SANDY JUDD, and TARA HERIVEL,

Complainants,

v.

**AT&T COMMUNICATION OF THE PACIFIC
NORTHWEST, INC., and T-NETIX, INC.,**

Respondents.

Docket No. UT-042022

AT&T'S SUPPLEMENTAL RESPONSE TO BENCH REQUEST NO. 13

AT&T Communications of the Pacific Northwest, Inc. ("AT&T"), by its attorneys, respectfully supplements its Response to Bench Request No. 13.

BENCH REQUEST NO. 13 (to AT&T):

Did AT&T bill, or have a third party bill on AT&T's behalf, any consumer (as that term was defined and used in WAC 480-120-021 and WAC 480-120-141) for any intrastate operator services or operator-assisted calls placed from the four correctional institutions at issue in this proceeding between June 20, 1996 and December 31, 2000? If so, please identify the service(s) billed and provide a copy of the tariff or price list provisions in effect at that time that established the rates, terms, and conditions for the billed service(s).

AT&T'S SUPPLEMENTAL RESPONSE TO BENCH REQUEST NO. 13:

Subject to the objections stated in AT&T's previously-filed Responses to the Commission's Bench Requests, including its initial Response to Bench Request No. 13, AT&T respectfully supplements that Response by submitting copies of tariff pages attached hereto as Exhibits A – D.

AT&T further reiterates that, as the ALJ found and no party challenged, T-Netix's P-III Premise platform "provided call control services including: screening the dialed number against a list of prohibited telephone numbers; if the number is not prohibited, seizing a dedicated outbound trunk and outpulsing the destination number as a 1+ call; and if the recipient accepted

the call, the platform would complete the audio path.” Order No. 23, Initial Order, at ¶ 135, Finding of Fact No. 5. The ALJ also concluded, and no party challenged, that “[c]onnection, based on an examination of the call schematics and the plain meaning of the regulation, occurs after the P-III Premise platform verifies that the call is valid and not prohibited, and when the platform passes the ‘0+’ call to the local or long-distance service provider by outpulsing it as a ‘1+’ call.” *Id.* at ¶ 142, Conclusion of Law No. 4. The ALJ further concluded, and no party challenged, that “[t]he P-III Premise platform provided the connection between the intrastate or interstate long-distance or local services and the correctional facilities,” citing WAC 480-120-021 (1991 and 1999). *Id.* at ¶ 143, Conclusion of Law No. 5.

Dated: December 15, 2010

SUBMITTED BY:

**AT&T COMMUNICATIONS OF
THE PACIFIC NORTHWEST, INC.**

By: /s/ Charles H.R. Peters

Letty S.D. Friesen
AT&T Services, Inc.
2535 E. 40th Avenue
Ste. B1201
Denver, CO 80205
(303) 299-5708
(303) 298-6301 (fax)
lf2562@att.com

Charles H.R. Peters
David C. Scott
Douglas G. Snodgrass
SCHIFF HARDIN, LLP
233 S. Wacker Dr.
Chicago, IL 60606
(312) 258-5500
(312) 258-5600 (fax)
cpeters@schiffhardin.com
dscott@schiffhardin.com
dsnodgrass@schiffhardin.com

Cynthia Manheim
AT&T Services, Inc.
PO Box 97061
Redmond, WA 98073
(425) 580-8112
(425) 580-6245 (fax)
cindy.manheim@att.com

CERTIFICATE OF SERVICE

Pursuant to WAC 480-07-150, I hereby certify that I have this day, December 15, 2010, served this document upon all parties of record by e-mail and Federal Express overnight delivery at the e-mail addresses and mailing addresses listed below:

Stephanie A. Joyce
Arent Fox LLP
1050 Connecticut Avenue, NW
Washington, DC 20036
joyce.stephanie@arentfox.com

Arthur A. Butler
Ater Wynne LLP
601 Union Street, Suite 1501
Seattle, WA 98101-2341
aab@aterwynne.com

Chris R. Youtz
Richard E. Spoonemore
Sirianni Youtz Meier & Spoonemore
719 Second Avenue, Suite 1100
Seattle, WA 98104
cyoutz@sylaw.com
rspoonemore@sylaw.com

Pursuant to WAC 480-07-145, I further certify that I have this day, December 15, 2010, filed MS Word and PDF versions of this document by e-mail, and six copies of this document by Federal Express, with the WUTC at the e-mail address and mailing address listed below:

Mr. David W. Danner
Secretary and Executive Director
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive SW
PO Box 47250
Olympia, WA 98504-7250
records@utc.wa.gov

Pursuant to the Prehearing Conference Order 08 and Bench Request Nos. 5 & 6, I further certify that I have this day, December 15, 2010, provided a courtesy copy of this document, in MS Word, to ALJ Friedlander by e-mail at the following e-mail address: mfriedla@utc.wa.gov.

Dated: December 15, 2010

/s/ Charles H.R. Peters
Charles H.R. Peters